

the control of the Federal receiver appointed by the Supreme Court of the United States for such periods of time, respectively, as such lands have been or may be in such receiver's possession or under his control, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented same to the Governor for his approval.
STIERMBERG, Acting Chairman.

Committee Room,
Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 10, Authorizing and providing for the exchange between the State of Texas, acting by the Board of Prison Commissioners, and the Hermann Hospital Estate of certain lands situated in Fort Bend county, Texas, and authorizing the Board of Prison Commissioners to execute and accept such conveyances as may be necessary to effect same,

Have carefully compared same and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented same to the Governor for his approval.

STIERMBERG, Acting Chairman.

Committee Room,
Austin, Texas, May 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 9, Providing for committee to investigate certain oil companies,

Have carefully compared the same, and find it correctly enrolled, and have this day, at 10:40 o'clock a. m., presented the same to the Governor for his approval.

STIERMBERG, Acting Chairman.

TWENTIETH DAY.

(Continued.)

(Sunday, May 13, 1923.)

The House met at 10 o'clock a. m. and was called to order by Mr. Beasley.

On motion of Mr. Harrington, the Chaplain, Rev. J. C. Mitchell, offered the usual morning invocation.

(Speaker in the chair.)

BILLS ORDERED NOT PRINTED.

On motion of Mr. Satterwhite, by unanimous consent, Senate bill No. 74 was ordered not printed.

On motion of Mr. Barrett, by unanimous consent, Senate bill No. 109 was ordered not printed.

HOUSE BILL NO. 30 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 30, A bill to be entitled "An Act to repeal Article 7383a as enacted by the Thirty-eighth Legislature, relating to occupation taxes based upon gross receipts, and adding in lieu thereof a new Article 7383a, providing an occupation tax on sulphur produced in the State of Texas by individuals, companies, corporations and associations, and reviving Article 7383a, providing that in the event of either or a part of article be held unconstitutional by the courts shall not invalidate the remainder of said article, and declaring an emergency."

The bill was read second time.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 30 by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. Each and every person who owns, controls, manages, leases or operates any sulphur mine or mines, wells or shafts, or who produces sulphur by any method, system or manner, within this State, shall make quarterly reports on the first days of January, April, July and October of each year, a report to the Comptroller of Public Accounts, sworn to by such person before an officer authorized to administer oaths in this State, or if such person be other than an individual, so sworn to by its president, secretary or other duly authorized officer, on such forms as said Comptroller shall prescribe, showing the total amount of sulphur produced during the quarter next preceding, and the average market value thereof, which shall include any bonus or premiums paid or premiums received or promised during said quarter, and at the time of making said report shall pay to the Treasurer of the State of Texas an occupation tax for the quarter beginning on said date an amount equal to three per cent of the total amount of sulphur produced by such person in this State during said quarter at the average market value thereof, including any bonus or premi-

ums received as shown by said report; provided, if for any reason the Comptroller of Public Accounts is not satisfied with any report so received he may require additional or supplemental reports containing information and data upon such matters as he may need or deem necessary to ascertain the true and correct amount of all taxes due from such person or concern, which additional or supplemental reports shall be made under oath as above provided.

Sec. 2. The amount of tax to be paid for the first full quarter after this act shall become effective shall be ascertained by taking the total value of sulphur produced for the quarter immediately preceding the beginning of said full quarter and calculating the tax thereon as provided for in Section 1 of this act. Should any person subject to the occupation tax herein levied begin business after the beginning of a quarter the amount of tax which such person or concern shall pay for the first quarter immediately succeeding the quarter in which the business was begun shall be ascertained by taking the total value of the sulphur produced within the last quarter, dividing the same by the number of days such person or concern was engaged in the business during said preceding quarter, and multiplying the quotient by 90, taking three per cent of the product.

Sec. 3. Each and every person subject to the payment of the occupation tax levied and required to be paid by this act shall cause to be made and to be kept and preserved, a full and complete record of all sulphur produced in this State during the time so engaged in its production, all of which record shall be open at all times to official inspection and examination of the Comptroller of Public Accounts, or the Attorney General, or any employe or representative of such Comptroller or Attorney General. Any person failing to keep such record or records as herein required shall forfeit to the State of Texas as a penalty any sum not less than two hundred and fifty (\$250) dollars, nor more than one thousand (\$1000) dollars and each day of failure to keep such records shall constitute a separate offense and subject the offender to additional penalties.

Sec. 4. Any person or concern mentioned in Section 1 of this act failing to pay the tax levied in said section within thirty days after same is due and payable, shall pay to the State as a penalty an additional amount equal to twenty per cent of the taxes due and such tax and penalty shall draw interest

at the rate of ten per cent per annum from the due date until paid.

Sec. 5. Any person required to make any report under this act failing to make the same in the manner prescribed by this act or within thirty days after the day on which such is required to be made under Section 1 of this act, shall forfeit to the State a penalty of not less than two hundred and fifty (\$250) dollars and not more than one thousand (\$1000) dollars for each such failure. Such penalty shall draw ten per cent interest from due date until paid.

Sec. 6. It shall be the duty of the Attorney General, or any district or county attorney at the direction of the Attorney General, to bring suit in behalf of the State in any court of competent jurisdiction in Travis county to recover the amount of taxes, penalties and interest past due and payable by any person affected by this act. The officer bringing the suit shall be entitled to retain ten per cent of the amount of the judgment as compensation for his services; provided, that the county or district attorney shall not be required to account for or report any such compensation as fees of office, but the same shall be in addition to all other compensation and over and above any maximum or excess fees allowed by law; provided that where any suit is prosecuted by the Attorney General in conjunction with a district or county attorney the fees shall be equally divided between such officers.

Sec. 7. The word "person" as used in this act shall include persons, firms, partnerships, companies, corporations, associations, common law trusts, those operating under a declaration of trust, or other concern by whatever name known or howsoever organized, formed or created.

Sec. 8. If any section, portion, clause or sentence of this act should be held unconstitutional, or invalid, for any reason, the remainder of the act shall nevertheless remain in force and effect.

Sec. 9. The act of the Thirty-eighth Legislature, Regular Session, effective June 13, 1923, the same being House bill No. 328, and being an act levying an occupation tax on the production of sulphur is hereby in all things repealed.

Sec. 10. The fact that the State Treasury is in a depleted condition, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended,

and that this act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

Mr. Smith offered the following amendment to the amendment:

Amend amendment by changing "3 per cent" to "2 per cent" wherever same appears in the amendment.

The amendment was lost.

Question recurring on the amendment by Mr. Quinn, it was adopted.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 30 by striking out everything above the enacting clause and inserting in lieu thereof the following:

"An Act levying and providing for the payment of a State occupation tax on the mining or production of sulphur by any method, system or manner, within this State; requiring reports to be made and records to be kept by those engaged in the business and providing for the inspection thereof by certain public officials, their employes or representatives; prescribing penalties for failure to comply with provisions of this act; providing for the payment of interest and penalties on delinquent taxes due hereunder; providing for suits to enforce the collection of delinquent taxes, interest, penalties and costs by certain officials; fixing the venue therefor and the compensation of officials for said services; repealing House bill No. 328 passed at the Regular Session of the Thirty-eighth Legislature levying an occupation tax on the production of sulphur, and declaring an emergency."

The amendment was adopted.

House bill No. 30 was then passed to engrossment.

HOUSE BILL NO. 110 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 110, A bill to be entitled "An Act to regulate the packing and the marking of packages and containers; requiring the net quantity of the contents of such package or containers to be plainly and conspicuously marked on the outside of package or container; defining the term 'container'; giving authority to the State Superintendent of Weights and Measures to supervise the enforcement of this act; providing for penalties for the enforcement of the act; repealing Section 8, Chapter 130, Acts of the Regular Session of the Thirty-sixth Leg-

islature and all laws in conflict, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 111 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 111, A bill to be entitled "An Act to prohibit the reckless driving and operation of motor vehicles on the public highways of the State of Texas, and prescribing penalties therefor, and defining reckless driving and operation."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 114 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 114, A bill to be entitled "An Act to safeguard the public in the purchase of pure-bred cotton seed true to name; creating a State board of plant breeder examiners; defining their duties; establishing a system of registration and certification; providing that the State board of plant breeder examiners shall prescribe all necessary rules and regulations and pass upon the application of breeders and growers for registration and certification; providing further that the Commissioner of Agriculture shall make the necessary inspection for the proper enforcement of said act, and shall have printed tags to be placed upon bags and other containers of cotton seed offered for sale under the terms of this act, and charge a fee for same; and to enforce the provisions of this act; prescribing penalties for the violation of said act; providing that this act shall be cumulative of Chapter 62, Acts of the Second Called Session of the Thirty-sixth Legislature, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 117 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 117, A bill to be entitled "An Act to amend Article 7012 $\frac{1}{2}$, Revised Civil Statutes of the State of Texas; fixing the compensation of county tax collectors, for the collection of license fees on motor vehicles, tractors

and trailers; exempting said fees from fee bill; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 126 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 126, A bill to be entitled "An Act to protect and promote the fruit and vegetable industry of this State, and to protect the growers, shippers and consumers of fruits and vegetables grown within this State, and to protect and promote the reputation of such fruits and vegetables grown within this State in foreign and domestic markets, and to protect the public against the imposition of fraud in the purchase of such fruits and vegetables by establishing standards for 'containers,' 'packs' and grades for such fruits and vegetables; regulating the manufacture of containers within this State for sale within this State; prescribing the duties of the Commissioner of Markets and Warehouses of this State for the enforcement of this act; prohibiting the use of containers, other than established by this act, for packaging or packing fruits and vegetables grown within this State; inhibiting the packing, selling or transporting of such fruits and vegetables which are unfit for human consumption; prohibiting the degrading or adulteration of such fruits and vegetables; providing for inspection of same and fixing the amount of fees which may be charged therefor; establishing a special fund and appropriating the same for carrying out the purposes of this act; providing for the branding or marketing of containers, when filled; providing for the issuance of inspection certificates and making such certificates prima facie evidence as to the grade, quality and condition of the commodity at the time of inspection, for which it was issued; authorizing the Commissioner of Markets and Warehouses of this State to promulgate standards of containers, grades and packs in conformity with those hereafter established by Congress, or the Secretary of Agriculture of the United States, and to promulgate such other standards of containers, grades and packs, and grade names, as in his judgment are expedient and to the best interest of the fruit and vegetable growers of this State; providing for tolerances; providing for supervision of the grading and packing of fruits and vege-

tables grown within this State by the Commissioner of Markets and Warehouses or inspectors appointed by him; inhibiting the manufacture and sale of containers other than standard within this State for use within this State; defining terms used in this act; prescribing penalties for the violation of the provisions of this act; repealing certain laws and all other laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 127 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 127, A bill to be entitled "An Act amending Section 39 of Chapter 42, General Laws of the First Called Session of the Thirty-seventh Legislature, relative to public roads and highways, so as to except and exempt from the provisions of said chapter the county of Cherokee, and declaring an emergency."

The bill was read second time.

Mr. Stewart of Reeves offered the following (committee) amendment to the bill:

Amend House bill No. 127 by striking out all of Section 1 and inserting in lieu thereof the following:

Section 1. That Section 39 of Chapter 42, of the General Laws of the First Called Session of the Thirty-seventh Legislature, as amended by Chapter 168 of the General Laws of the Regular Session of the Thirty-eighth Legislature be, and the same is hereby amended so as to hereafter read as follows:

"Sec. 39. The provisions of this chapter are designated to embody all of the statutes on the subject of road maintenance, and all laws and parts of laws in conflict herewith, whether special or general, are hereby repealed. Provided, that none of the provisions of this act shall apply to the counties of Anderson, Austin, Aransas, Atascosa, Archer, Angelina, Andrews, Armstrong, Bastrop, Brooks, Brazoria, Bee, Burnet, Brewster, Bandera, Bexar, Brown, Baylor, Bailey, Burleson, Briscoe, Blanco, Bosque, Bell, Borden, Brazos, Colorado, Crane, Curry, Cooke, Cameron, Chambers, Calhoun, Coke, Crockett, Culberson, Camp, Cass, Comanche, Coleman, Concho, Clay, Cottle, Cochran, Crosby, Childress, Cherokee, Castro, Collingsworth, Carson, Caldwell, Comal, Coryell, Callahan, Collin, Duval, DeWitt, Denton, Dallas, Dickens,

Donley, Deaf Smith, Dallam, Delta, Dawson, Ector, Eastland, Ellis, Erath, Edwards, El Paso, Fannin, Frio, Foard, Floyd, Fort Bend, Falls, Freestone, Franklin, Fisher, Gregg, Gaines, Garza, Grimes, Grayson, Galveston, Goliad, Gillespie, Gray, Guadalupe, Gonzales, Glasscock, Hardin, Hidalgo, Hudspeth, Henderson, Hemphill, Hardeman, Hale, Hall, Hockley, Hartley, Hutchinson, Hansford, Hays, Harris, Hood, Hopkins, Hamilton, Houston, Hill, Haskell, Hunt, Irion, Jim Hogg, Jim Wells, Jackson, Jeff Davis, Jack, Jones, Johnson, Jefferson, Jasper, Kent, Kendall, Kleberg, Kennedy, Karnes, Kimble, Kendall, Kinney, Kerr, Kaufman, King, Knox, Lavaca, Loving, Liberty, Lamar, Limestone, Lynn, Lee, Llano, Leon, LaSalle, Lampasas, Live Oak, Lamb, Lubbock, Lipscomb, Marion, Morris, Martin, Midland, Madison, Montgomery, Dimmit, McMullen, Matagorda, Mason, Maverick, Medina, Montague, Menard, McCulloch, Mills, Motley, Moore, McLennan, Milam, Mitchell, Nacogdoches, Nolan, Newton, Nueces, Navarro, Oldham, Ochiltree, Orange, Palo Pinto, Polk, Parker, Pecos, Presidio, Parmer, Potter, Pannola, Robertson, Red River, Reagan, Reeves, Real, Rockwall, Runnels, Randall, Roberts, Refugio, Stonewall, Shackelford, Sabine, San Jacinto, San Patricio, Starr, Schleicher, Sterling, Sutton, Smith, San Saba, Swisher, Sherman, Shelby, Taylor, Trinity, Terry, Travis, Terrell, Tom Green, Throckmorton, Titus, Upton, Uvalde, Upshur, Victoria, Val Verde, Van Zandt, Ward, Walker, Wise, Winkler, Wharton, Wheeler, Washington, Wilson, Williamson, Waller, Webb, Willacy, Wood, Wichita, Wilbarger, Yoakum, Young, Zapata and Zavalla, any and all laws affecting Anderson, Austin, Bastrop, Colorado, Crane, Ector, Hardin, Hidalgo, Kent, Lavaca, Loving, Liberty, Marion, Morris, Martin, Midland, Nacogdoches, Palo Pinto, Robertson, Stonewall, Scurry, Stephens, San Jacinto, Taylor, Ward, Walker, Winkler and Upton counties, which were repealed by said Chapter 42, are hereby revived and shall hereafter be in force and effect the same as if Chapter 42 had never been enacted in so far as said counties are concerned."

Mr. Lane offered the following amendment to the amendment:

Amend House bill No. 127, as printed on page 435 of the Journal, by adding after the word "concerned" the following: "And provided further that this act shall take effect January 1, 1924."

The amendment was adopted.

Mr. Carson offered the following amendment to the amendment:

Amend House bill No. 127 by adding "Howard" to the excepted list in the bill and caption.

The amendment was adopted.

The (committee) amendment as amended was then adopted.

Mr. Stewart of Reeves offered the following amendment to the bill:

Amend House bill No. 127 by substituting the following before the enacting clause:

"A bill to be entitled 'An Act amending Section 39 of Chapter 42, General Laws of the First Called Session of the Thirty-seventh Legislature, as amended by Chapter 168, General Laws of the Regular Session of the Thirty-eighth Legislature, relative to public roads and highways, so as to except and exempt following provisions of said chapter in county of Cherokee, and declaring an emergency.'"

The amendment was adopted.

House bill No. 127 was then passed to engrossment.

SENATE BILL NO. 110 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

Senate bill No. 110, Relating to compensation of county commissioners in certain counties.

The bill was read second time and was passed to third reading.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 13, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a free conference committee on House bill No. 11 and the following are appointed on the committee in behalf of the Senate: Senators Burkett, Turner, Parr, Pollard and Baugh.

The Senate has refused to concur in House amendments to Senate bill No. 3 and requests the appointment of a free conference committee to adjust the differences. Senators Wood, Darwin, Rogers, Bowers and Lewis are appointed on the committee in behalf of the Senate.

The Senate has refused to concur in House amendments to Senate bill No. 92 and requests the appointment of a free conference committee to adjust the differences. Senators Davis, Watts, Rice, Doyle and Witt are appointed on the committee in behalf of the Senate.

The Senate has refused to concur in House amendments to Senate bill No. 29 and requests the appointment of a free conference committee to adjust the differences. The following are appointed in behalf of the Senate: Senators Woods, Cousins, Murphy, Bledsoe and Thomas.

Respectfully,

RICHARD BLALOCK.

Assistant Secretary of the Senate.

HOUSE BILL NO. 138 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 138, A bill to be entitled "An Act releasing the inhabitants of and property in Wharton county, comprising one district, and that portion of Matagorda county embraced in Commissioners' Precincts Nos. 1, 2 and 4, as described in the minutes of the commissioners court of said county, comprising another district, for a period of twenty-five years, from the payment of taxes levied for State purposes because of great public calamities in said counties, as provided in Section 10 of Article VIII of the State Constitution, and providing that each district above defined, respectively, shall be organized into a conservation and reclamation district, and shall vote bonds of such district to prevent the recurrence of such calamities, and in case of the failure of either of said districts to organize and to vote such bonds by or before October 1, 1924, said act shall become null and void, and said taxes shall be collected in the usual manner and paid into the public treasury, and declaring an emergency."

The bill was read second time.

On motion of Mr. Carpenter of Matagorda, the bill was laid on the table subject to call.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 11.

The Speaker announced the appointment of the following conference committee on the part of the House on House bill No. 11:

Messrs. Bonham, Pope, Hull, Wilson and Jones.

CONFERENCE COMMITTEE ON SENATE BILL NO. 92.

Mr. Smith called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 92.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Smith moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on the part of the House on Senate bill No. 92:

Messrs. Smith, Jennings, Wallace, Arnold and Fields.

CONFERENCE COMMITTEE ON SENATE BILL NO. 3.

Mr. Quaid called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 3.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Quaid moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on the part of the House on Senate bill No. 3:

Messrs. Quaid, Edwards, Baker of Milam, Collins and Cable.

CONFERENCE COMMITTEE ON SENATE BILL NO. 29.

Mr. Stewart of Jasper called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 29.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Stewart of Jasper moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on the part of the House on Senate bill No. 29:

Messrs. Henderson of Marion, Moore, Dodd, McNatt and Sanford.

RECESS.

On motion of Mr. Lackey, the House, at 11:20 o'clock a. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

HOUSE BILL NO. 149 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 149, A bill to be entitled "An Act amending Article 7015 of Chapter 9, Title 119, of the Revised Civil Statutes of Texas of 1911, relating to the building of toll bridges, giving commissioners courts the power of levying amount of tolls, limiting the number of years the builder shall control such bridges, and providing for upkeep of bridges; extending the provisions of this article so that counties with a population of 10,000 or less may contract for a period not to exceed fifteen years, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 158 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 158, A bill to be entitled "An Act to facilitate the marketing and distribution of the natural resources of the State, and the products manufactured therefrom, by extending the right of condemnation to certain corporations, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 174 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 174, A bill to be entitled

"An Act to amend Article 7629 of the Revised Civil Statutes of 1911, pertaining to credits allowed tax collectors for unpaid taxes reported or returned by them as delinquent or insolvent."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 175 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 175, A bill to be entitled "An Act to amend subdivision 5 of Article 7618 of the Revised Civil Statutes of 1911 as amended by Chapter 124, page 190, General Laws, Regular Session, Thirty-fourth Legislature, approved March 22, 1915, pertaining to the collection of delinquent taxes and insolvent taxes and making reports of same by county tax collectors."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 196 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 196, A bill to be entitled "An Act making it unlawful to deposit filth, trash, tin cans, rubbish and waste material of any nature in any public street, road or highway, or upon any private land or property; prescribing penalty for the violation of this act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 186 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 186, A bill to be entitled "An Act to amend Sections 3 and 20 of House bill No. 13, passed at the Regular Session of the Thirty-eighth Legislature and approved by the Governor on February 28, 1923, and being 'An Act providing for the licensing, bonding and regulating of private employment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this act; providing for recoveries on said bond; fixing penalties for the viola-

tion of this act; creating a special fund for the enforcement of this act and appropriating same for said purposes; repealing certain laws and all laws or parts of laws in conflict herewith, and declaring an emergency," and to further amend said House bill No. 13 by adding after Section 20 thereof a new section to be known as Section 20a; the purpose of these amendments is to permit the issuance of licenses to residents of this State to engage in the business of employment agents; to remove discrimination against alien residents of this State who desire to engage in said business; to require certain statements to be made in application for license and to fix the amount and form of bond required to be given by those who are licensed to engage in the business; and to define certain offenses and prescribe penalties therefor; and to provide for restraining by injunction of any person or persons pursuing the business of employment agents or conducting an employment office without first having obtained a license therefor, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 207 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 207, A bill to be entitled "An Act to relieve certain schools and school districts of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance of schoolhouse bonds or the levying of special taxes for any unlawful school purposes, validating such bond issues and taxes, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 212 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 212, A bill to be entitled "An Act to repeal Section 23, Chapter 47, General Laws, passed at the Regular Session of the Thirty-second Legislature, requiring manufacturers of food and drugs doing business in the State of Texas, and all persons bringing into and offering for sale within this State any article of food or drugs to register their firm names and addresses with the

Dairy and Food Commissioner and to pay a fee of one dollar for such registration; and to amend Section 4 of said Chapter 47 so as to include the word 'saccharin,' and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 224 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 224, A bill to be entitled "An Act to amend Articles 4256 and 4257 of an act entitled guardian and ward, Chapter 17, Title 64, of the Revised Statutes of Texas, 1911, providing for the appointment and qualification of non-resident guardians of the estate of non-resident minors in the State of Texas; prescribing the procedure in such cases; fixing the amount of the bond of such guardians; providing for the removal out of the State of Texas of personal property of such estates; providing for the sale of real property belonging to such estates and removal of the proceeds thereof; providing for the procedure in such sales, invalidating any proceedings heretofore taken under Chapter 17, Title 64, Revised Civil Statutes of Texas, 1911, and as since amended, qualifying such guardians and sales of real estate heretofore made by such non-resident guardians made in accordance with the provisions of Chapters 11 and 12, Revised Civil Statutes of Texas, 1911, and as since amended; and to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 231 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 231, A bill to be entitled "An Act to amend Part Three of Chapter 179 of the Acts of the Regular Session of the Thirty-third Legislature, relating to workmen's compensation, as amended by Chapter 103 of the Acts of the Regular Session of the Thirty-fifth Legislature, by adding thereto a section to be known as Section 24, requiring the Texas Employers' Insurance Association to pay such taxes as may now or here-

after be required of private corporations licensed to write workmen's compensation."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 245 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 245, A bill to be entitled "An Act placing a closed season for five years on certain wild game."

The bill was read second time.

Mr. Satterwhite offered the following amendment to the bill:

Amend the caption of House bill No. 245 by adding after the words "prairie chicken", the following: "and providing open season for killing prairie chickens in certain counties."

The amendment was adopted.

House bill No. 245 was then passed to engrossment.

SENATE BILL NO. 111 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 111, A bill to be entitled "An Act relating to the Fifteenth and Fifty-ninth Judicial Districts in Grayson county."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 94 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 94, A bill to be entitled "An Act creating the Gladewater County Line Independent School District in Gregg and Upshur counties, Texas; defining its boundaries; providing for a board of trustees of said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof, including power to extend its boundaries; providing that all bonds heretofore voted in said district shall remain in full force and effect against the territory of said district which voted same; providing for the assumption of said bonds by

said district; providing for payment of its proportion of the bonded indebtedness of Union Grove Common School District; providing for appointment of tax assessor and collector and board of equalization, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 84 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 84, A bill to be entitled "An Act to create the Roscoe Independent School District in Nolan county, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas for school purposes only; providing that the board of trustees of the present Roscoe Independent School District shall continue to act as such until their successors are elected in accordance with the provisions of this act and the general laws of Texas, and declaring an emergency."

The bill was read third time.

Mr. Chitwood offered the following amendment to the bill:

Amend Senate bill No. 84 by striking out all after the enacting clause and insert the following:

Section 1. That the Roscoe Independent School District is hereby created and established in Nolan county, Texas, including within its limits the present Roscoe Independent School District, with metes and bounds as follows: Beginning at the N. W. corner of Section No. 36, Block 24, T. & P. Ry. Survey; thence south 13 degrees east along the west line of Sections Nos. 36, 37, 48, 49 and 60, Block 24, T. & P. Ry. Survey to the S. W. corner of Section No. 60 of the same block; thence north 77 degrees east along the south line of Section No. 60, Block 24, T. & P. Ry. Survey and along the south line of Sections Nos. 55, 56, 57 and 58, Block 23, T. & P. Ry. Survey to the S. E. corner of Section No. 58, Block 23, T. & P. Ry. Survey; thence south 13 degrees east along the west line of Section No. 62, Block 23, T. & P. Ry. Survey to the S. W. corner of same Section No.

62; thence north 77 degrees east along the south line of Sections Nos. 62 and 61, Block 23, T. & P. Ry. Survey and along the south line of Sections Nos. 66 and 65, Block 22, T. & P. Ry. Survey to the S. E. corner of Section No. 65, Block 22, T. & P. Ry. Survey; thence north 13 degrees west along the line of Sections Nos. 65, 56, 53, 44 and 41, Block 22, T. & P. Ry. Survey to the N. E. corner of Section No. 41, Block 22, T. & P. Ry. Survey; thence south 77 degrees west along the north line of Sections Nos. 41 and 42, Block 22 and Block 23, Section No. 37, T. & P. Ry. Survey to the S. E. corner of Section No. 35, Block 23, T. & P. Ry. Survey; thence north 13 degrees west along the east line of Sections Nos. 35 and 26, Block 23, T. & P. Ry. Survey, to the N. E. corner of Section No. 26, Block 23, T. & P. Ry. Survey; thence south 77 degrees west along the north line of Sections Nos. 26, 27, 28, 29 and 30, Block 23, T. & P. Ry. Survey, to the N. W. corner of Section No. 30, Block 23, T. & P. Ry. Survey; thence south 13 degrees east along the west line of Section No. 30, Block 23, T. & P. Ry. Survey, to the N. E. corner of Section No. 36, Block 24, T. & P. Ry. Survey; thence south 77 degrees west along the north line of Section No. 36, Block 24, T. & P. Ry. Survey, to the place of beginning.

Sec. 2. The management and control of the public free schools of said Roscoe Independent School District as created by this act is hereby vested in a board of trustees composed of seven members, who shall be resident citizens and qualified voters within said district, provided that the trustees in charge of the public schools now in existence within the territory of said district shall serve as trustees of said Roscoe Independent School District until their successors are elected and qualified as is provided by general laws for the election of trustees in independent school districts organized for school purposes only.

Sec. 3. The said Roscoe Independent School District, as created by this act, shall have and exercise and is hereby vested with all the rights, powers, privileges and duties of a town incorporated under the general laws of this State for free school purposes only, and the board of trustees of the said Roscoe Independent School District shall have and exercise all of the rights, powers, privileges and duties conferred and imposed by the general laws of Texas upon

the trustees of independent school districts incorporated under the general laws of the State for free school purposes only.

Sec. 4. The crowded condition of the calendar and the inadequate public free school facilities of the territory hereby incorporated for free school purposes only, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Amend Senate bill No. 84 by striking out all before the enacting clause and insert the following:

"A bill to be entitled 'An Act to create the Roscoe Independent School District in Nolan county, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas for school purposes only; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the provisions of this act and the general laws of Texas, and declaring an emergency.'"

The amendments were severally adopted.

Senate bill No. 84 was then finally passed.

HOUSE BILL NO. 66 ON SECOND READING.

On motion of Mr. Fugler, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 66, A bill to be entitled "An Act regulating the lighting of all motor vehicles in Texas; providing for the testing of such lighting devices and the approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving the Highway Commission power to conduct such test, and providing that they shall charge a fee sufficient to cover the actual expense of conducting such test; providing penalties for the violation of this act, and repeal-

ing all laws in conflict herewith and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Wallace offered the following amendments to the bill:

(1)

Amend House bill No. 66, page 2, Section 4, lines 39 and 40, by striking out the following words: "which device has been certified and approved by the State Highway Commission as herein-after provided."

Signed—Wallace, Henderson of McLennan.

(2)

Amend House bill No. 66, Section 5, page 3, lines 7, 8 and 9, by striking out the following: "until such lighting device or adjustment shall have been tested and approved by the Highway Commission" and insert in lieu thereof the following: "which violates any provision of this act."

Signed—Wallace, Henderson of McLennan.

(3)

Amend House bill No. 66 by adding immediately after Section 11 a new section numbered 11a, to read as follows: "Sec. 11a. Provided, that the provision of this act shall not take effect until October 1, 1923."

Signed—Wallace, Henderson of McLennan.

The amendments were severally adopted.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 66 by striking out Sections 2 and 8 and renumbering succeeding sections.

The amendment was adopted.

Mr. Patterson offered the following amendment to the bill:

Amend House bill No. 66 by striking out Section 7, page 3.

The amendment was adopted.

House bill No. 66 was then passed to engrossment.

SENATE BILL NO. 99 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 99, A bill to be entitled "An Act relating to the registration of bonds with the Comptroller," etc.

The bill was read second time and was passed to third reading.

SENATE BILL NO. 20 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 20, A bill to be entitled "An Act making an appropriation for additional inspectors for the Live Stock Sanitary Commission, to pay compensation or expenses of such inspectors, said appropriation to be available for the fiscal year ending August 31, 1923, and declaring an emergency."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 67 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 67, A bill to be entitled "An Act providing for the supervision and regulation of the transportation of persons and property for compensation or hire over any public highway by motor propelled vehicles; defining auto transportation companies as common carriers, and providing for the supervision and regulation thereof by the Railroad Commission of Texas; providing for the issuance of certificates of convenience and necessity for the operation of auto transportation companies; providing for the furnishing of liability insurance or a surety bond by auto transportation companies; defining the duties and powers of the Railroad Commission of Texas over auto transportation companies, authorizing the Railroad Commission of Texas to make rules and regulations for governing auto transportation companies, to fix rates, supervise service, make investigation of books, accounts, and the doing of all other matters and things pertaining to auto transportation that may be necessary in the matter of regulation and control; authorizing the Railroad Commission of Texas to punish for contempt for the violation of its rules and regulations; providing a penalty for the violation of the law and the rules and regulations of the Railroad Commission of Texas; providing for the collection of an annual fee to defray the cost of administering and enforcing this law, and the payment of such employes and all other expense out of the funds derived from fees and fines, and providing for payment in event of deficit, and declaring an emergency."

The bill was read third time.

Mr. Melson offered the following amendment to the bill:

Amend House bill No. 67 by striking out the words "of convenience and necessity" wherever they occur in the bill.

The amendment was adopted.

House bill No. 67 was then finally passed.

SENATE BILL NO. 89 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 89, A bill to be entitled "An Act to create and provide for the State of Texas a Department of Insurance separate and distinct from the Department of Banking."

The bill was read second time.

Mr. Carpenter of Dallas offered the following amendment to the bill:

Amend Senate bill No. 89 by striking out all after the enacting clause and substitute the following:

Section 1. That there is herein and hereby created a separate department of the State government, to be known as the Department of Insurance, with the powers and privileges and duties herein provided. This department shall be under the control of a State officer, whose title shall be Commissioner of Insurance; said department to be separate and distinct from the Department of Banking of the State of Texas.

Sec. 2. The Governor shall, within fifteen days after this act takes effect, and thereafter, appoint, by and with the advice and consent of the Senate, a Commissioner of Insurance, who shall be a citizen of the State, and fully qualified to fulfill the duties of the office. (R. S., Art. 4485.)

Sec. 3. The Commissioner of Insurance shall hold his office for a term of two years, and until the appointment and qualification of his successor. (R. S., Art. 4486.)

Sec. 4. That there shall be paid to the Commissioner of Insurance, as compensation, the sum of six thousand and no/100 dollars per year, which shall be paid in monthly installments at the time, and in the manner, and under the conditions, as the heads of the other departments of the State government are paid.

Sec. 5. The Governor may fill any vacancy occurring in the office of Commissioner of Insurance and report the

name of the person so appointed to the Senate, if in session, or at the next succeeding session of the Legislature. Should the Senate fail to confirm the appointment made by the Governor within ten days after being advised thereof, then the said office shall be deemed vacant and a new appointment shall be made until the office is filled. (R. S., Art. 4487.)

Sec. 6. Within fifteen days after notice of his appointment, and before entering upon the duties of his office, he shall take the oath of office prescribed by the Constitution, and shall give a bond to the State of Texas in the sum of five thousand (\$5000) dollars, with two or more good and sufficient sureties, or surety company authorized to do business in Texas, to be approved by the Governor, and conditioned for the faithful discharge of the duties of his office, which oath and bond shall be filed in the office of the Secretary of State. (R. S., Art. 4488.)

Sec. 7. Said Commissioner may appoint a competent Deputy Commissioner and may appoint an actuary and one assistant actuary, and such examiners as the business of the department may require, each of whom shall have the qualifications herein required, and he may appoint such clerks as the labors of his office may require, and all of his appointees shall be removable at his discretion. The actuary shall be a member in good standing of some recognized actuarial society, and the assistant actuary and examiners shall be competent accountants.

Sec. 8. The Deputy Commissioner shall possess all the powers and perform all the duties attached by law to the office of Commissioner during the necessary or unavoidable absence of the Commissioner, or his inability from any cause to act. The Commissioner shall be responsible for the acts of his Deputy Commissioner, who shall, before entering upon the duties of his position, take the oath required of the Commissioner; he may also be required by the said Commissioner to enter into bond with security, payable to and to be approved by the said Commissioner, for the faithful performance of the duties of his position. (R. S., Art. 4490.)

Sec. 9. The said Commissioner shall be styled Commissioner of Insurance, and shall have a seal of office, the design of which shall consist of a star with five points, with letters composing the word "Texas" arranged between the respective points thereof; said seal to

be not less than one and a half, and not more than two inches in diameter, and on the margin shall show "Department of Insurance" or an intelligible abbreviation thereof. Such seal thus formed and impressed shall be the seal of office of the Department of Insurance. (R. S., Art. 4491.)

Sec. 10. No person who is a director, officer or agent of or directly or indirectly interested in any insurance company, except as insured, shall be a Commissioner or Deputy Commissioner, or any employe of said department; and it shall be unlawful for such Commissioner, or any person employed by him, or in any way connected with his office, to purchase all or any part of any mine or mineral land, or be in any manner interested in such purchase during the term of his office or employment. (R. S., Art. 4492.)

Sec. 11. The Department of Insurance herein created, and the Commissioner of Insurance herein provided for as the head thereof, shall have and exercise all of the powers, privileges and duties now, under the law, devolving upon the Commissioner of Insurance and Banking with reference to the business of insurance, and or insurance companies, associations, societies and persons of all kinds engaged in such business, and with reference to the business of building and loan associations, and companies engaged therein, and with reference to Workmen's Compensation Law, and with reference to bond investment companies and the business conducted by such, and with reference to co-operative savings and contract loan companies and the business conducted by such, and shall have and exercise all of the powers, duties and privileges now under the law vested in the Commissioner of Insurance and Banking under Title 71 of the Revised Statutes of the State of Texas, and of and under Title 25, Chapter 25, of the Revised Statutes of the State of Texas, and under the Acts of the Thirty-third Legislature, First Called Session, Chapter 33, approved August 31, 1913, and under the Acts of the Thirty-third Legislature of 1913, First Called Session, Chapter 32, approved August 12, 1913, in so far as said acts of the Legislature shall apply to corporations herein placed under the jurisdiction of said Department of Insurance and in so far as any business affected and controlled by said Chapter 32, approved August 21, 1913, shall hereunder come within the jurisdiction and control of the Department of Insurance herein provided for, and

shall have and exercise such powers under the Acts of the Thirty-fourth Legislature, First Called Session, Chapter 5, approved May 27, 1915; and under the Acts of the Thirty-fifth Legislature, Fourth Called Session, Chapter 45, approved April 2, 1918; and under the Acts of the Thirty-third Legislature, Chapter 179, approved April 16, 1913; and under the Acts of the Thirty-fifth Legislature, Chapter 103, approved March 28, 1917; and said Commissioner of Insurance, as head of said Department of Insurance, shall also have and exercise all of the rights and powers now under the law vested in the Commissioner of Insurance and Banking with reference to any and all other corporations, person or persons or business not by law placed under the control and management of the head of some other department of the State government.

Sec. 12. That Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491 and 4492 be and the same are hereby amended so far as to read as hereinabove written, respectively, in Sections 2, 3, 5, 6, 7, 8, 9 and 10 hereof.

Sec. 13. That the State Insurance Commission, as created by Section 4, Chapter 106, of the Acts of the Thirty-third Legislature, is hereby consolidated with the Department of Insurance, as herein created, and the Department of Insurance created hereby shall embrace the State Insurance Commission, and all the powers, functions, duties, rights, privileges and jurisdiction of the State Insurance Commission are hereby transferred to the Department of Insurance as created herein.

Sec. 14. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 15. The fact that the present Department of Insurance and Banking is overburdened with duties, and the further fact that the business of banking is largely or wholly dissimilar to that of insurance, the public service would be greatly benefited and improved through the separation of Department of Insurance from that of Banking, and the fact that many matters will come before this Legislature which will impede and may prevent the passage of this law, if this bill shall be required to take the ordinary and due course in its passage, creates an emergency and an imperative public necessity requiring that the constitutional rule that bills be read upon three separate days in each house be suspended, and the same

is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Amend the caption of Senate bill No. 89 by striking out all above the enacting clause and substituting the following:

A bill to be entitled "An Act to create and provide for a Department of Insurance, for the State of Texas, separate and distinct from the Department of Banking of this State, vesting therein and giving to it jurisdiction of all matters, things, powers and functions of the Department of Insurance and Banking, except such as may have been divested therefrom and vested in the Department of Banking; and giving to it all the powers, jurisdiction, things and functions now vested in the State Insurance Commission; to provide for a seal of such office; to require of the Commissioner of Insurance an oath of office and a bond for the faithful discharge of his duties; to provide for a Deputy Commissioner, and to define the duties and powers and obligations of the Deputy Commissioner, and to provide for actuaries and examiners, and for clerical help for such department; to amend Chapter 7 of Title 65 of the Revised Statutes of the State of Texas, and particularly to amend Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491 and 4492, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

The amendments were severally adopted.

Senate bill No. 89 was then passed to third reading.

SENATE BILL NO. 82 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third heading,

S. B. No. 82, A bill to be entitled "An Act to create and provide for a Department of Banking for the State of Texas, separate from the Department of Insurance of this State; to provide for the appointment, term of office, official name, compensation, and to prescribe the qualifications, powers, and duties of the head of such department; providing for a seal of office; requiring of the Banking Commissioner of Texas an oath of office and a bond for the faithful discharge of his duties; providing for the appointment of a Deputy Commissioner of Banking, defining his duties, fixing his compensation, requiring of him an oath of office and a bond

for the faithful discharge of the duties of his office; providing clerical help for such department; providing for the appointment of State Bank Examiners, fixing their number, salaries and duties; providing for the number of examinations that shall be made by State examiners of State banks, fixing the fees they shall be paid for such examinations and providing how payments for salaries and expenses of examinations shall be made; providing for the appointment of a departmental examiner, prescribing his duties and fixing his compensation; providing for the appointment of a general liquidating agent, prescribing his duties and fixing his compensation; amending Chapter 10, General Laws of Texas passed by the First Called Session of the Twenty-ninth Legislature in 1905, being Senate bill No. 6, and amending Section 38 of said Chapter 10; amending Chapter 205, General Laws of the Thirty-fifth Legislature passed at the Regular Session in 1917, and amending Section 5 of said Chapter 205; amending Chapter 15 of the Second Called Session of the Thirty-first Legislature passed in 1909, being Senate bill No. 4; amending Articles 518, 519, 521, 521a and 522, Revised Civil Statutes of 1911, and amendments thereof, as amended by the Acts of the Thirty-first Legislature at its Regular Session in 1909, being Section 44 of Chapter 15 of Senate bill No. 4, and Article 521a, Revised Civil Statutes of 1911 and amendments thereof, as amended by Chapter 205, Section 7, Acts of the Thirty-fifth Legislature at its Regular Session in 1917; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Irwin offered the following amendments to the bill:

Amend Senate bill No. 82, Section 5, by striking out the words and figures, "four thousand (\$4000)," in line 11 of said section, and inserting in lieu thereof the words and figures "five thousand (\$5000)."

Amend Senate bill No. 82, Section 2, by striking out the words and figures "four thousand (\$4000)" and inserting in lieu thereof the words and figures "five thousand (\$5000)."

The amendments were severally adopted.

Mr. Irwin offered an amendment to the caption to the bill which was adopted.

Senate bill No. 82 was then passed to third reading.

SENATE BILL NO. 30 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 30, A bill to be entitled "An Act to amend Section 36, Acts of 1919, Second Called Session, Chapter 78, of the General Laws of the State of Texas, so as to provide adequate and proper punishment for the violation of said chapter, same being the State-wide Intoxicating Liquor Prohibition Law, and declaring an emergency."

The bill was read second time.

Mr. Abney offered the following amendment to the bill:

Amend Senate bill No. 30 as follows: Strike from Section 36 as amended by Section 1 of the bill (Journal, page 429) the following words: "one (1) year, and by a fine of not less than one hundred (\$100) dollars nor more than two thousand (\$2000) dollars." Insert in lieu thereof "two years or by a fine of not less than five hundred dollars nor more than two thousand dollars."

Mr. Hull moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

Senate bill No. 30 was then passed to third reading.

MOTION FOR SPECIAL ORDER.

Mr. Quinn moved that House bill No. 30 be set as special order for 10 o'clock a. m. tomorrow.

The motion was lost.

ADJOURNMENT.

Mr. Crawford moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Bonham moved that the House adjourn until 10 o'clock a. m. Monday.

Mr. Burmeister moved that the House adjourn until 4:15 o'clock p. m. today.

The motion of Mr. Bonham prevailed, and the House, accordingly, at 4:20 o'clock p. m., adjourned to 10 o'clock a. m. tomorrow.

TWENTY-FIRST DAY.

(Monday, May 14, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	LeMaster.
Amsler.	LeSturgeon.
Arnold.	Lewis.
Avis.	Loftin.
Baker of Milam.	Looney.
Baker of Orange.	McBride.
Baldwin.	McDaniel.
Barker.	McDonald.
Barrett.	McKean.
Beasley.	McNatt.
Bell.	Martin.
Bird.	Mathes.
Bobbitt.	Maxwell.
Bonham.	Melson.
Bryant.	Merritt.
Burmeister.	Miller.
Cable.	Moore.
Carpenter	Morgan
of Dallas.	of Liberty.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Pate.
Carter of Hays.	Patman.
Chitwood.	Patterson.
Coffee.	Perdue.
Collins.	Pinkston.
Covey.	Pool.
Cowen.	Pope.
Crawford.	Potter.
Culp.	Price.
Davenport.	Purl.
Davis.	Quaid.
DeBerry.	Quinn.
Dinkle.	Rice.
Dodd.	Robinson.
Downs.	Rogers.
Driggers.	Rowland.
Duffey.	Russell
Dunn.	of Callahan.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Fields.	Satterwhite.
Finlay.	Shearer.
Frnka.	Shires.
Fugler.	Simpson.
Gipson.	Sparkman.
Green.	Stell.
Greer.	Stevens.
Hardin of Erath.	Stewart
Harrington.	of Edwards.
Harris.	Stewart
Henderson	of Galveston.
of Marion.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of McLennan.	Stiernberg.
Hendricks.	Storey.
Howeth.	Stroder.
Hull.	Sweet.
Irwin.	Teer.
Jacks.	Thompson.
Jennings.	Thrasher.
Johnson.	Vaughan.
Kemble.	Wallace.
Lackey.	Wells.
Laird.	Westbrook.
Lane.	Wessels.